

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

<b>JUAN MEDELLIN,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 09-CV-617-TCK-FHM</b>
	)	
<b>COMMUNITYCARE HMO, INC.,</b>	)	
<b>an Oklahoma corporation,</b>	)	
	)	
<b>Defendant.</b>	)	

**OPINION AND ORDER**

Before the Court is the Motion to Withdraw (Doc. 28) and Motion for Extension of Time to Conduct Discovery (Doc. 27) filed by Joseph F. Clark (“Clark”), Plaintiff’s counsel. With regard to the Motion to Withdraw, the Court grants the motion for good cause, subject to the following conditions. Clark is granted leave to withdraw as counsel for Plaintiff effective upon the entry of appearance of substitute counsel. Plaintiff is hereby directed to either cause new counsel to enter an appearance in this matter, or to file a statement stating that Plaintiff wishes to proceed *in propria persona*, within twenty (20) days of this date. Failure to comply with this deadline may result in the imposition of appropriate sanctions. Clark shall be required to actively serve as counsel for Plaintiff by attending all scheduled hearings, preparing necessary orders, and adhering to dates previously set by this Court until such time as the conditions set forth in the Order have met with full compliance or pending further Order of the Court.

With regard to the Motion for Extension of Time to Conduct Discovery (Doc. 27), Clark seeks: (1) an additional sixty days in which to complete the discovery permitted in the Court’s Order of March 31, 2011; and (2) an extension of the date in which Plaintiff may re-file his motion to remand. (*See* 3/31/2011 Order (denying Plaintiff’s motion to remand without prejudice and granting

Plaintiff's alternative request for additional discovery) (stating that Plaintiff is permitted to file a second motion to remand on or before June 13, 2011).) Plaintiff has had over two months to conduct the discovery permitted in the Court's March 31, 2011 Order, and an additional sixty (60) days of discovery is therefore unwarranted. The Court will grant a modified extension of the dates outlined in the Court's Order, however. Specifically, Plaintiff is permitted to file a second motion to remand within twenty (20) days of the entry of appearance of new counsel or Plaintiff's filing of a statement that he wishes to proceed *in propia persona*.

**SO ORDERED this 7th day of June, 2011.**

A handwritten signature in black ink, reading "Terence C. Kern". The signature is written in a cursive style with a long horizontal line extending from the end.

---

**TERENCE C. KERN  
UNITED STATES DISTRICT JUDGE**